new program as it is implemented, and pledge to reexamine it should problems of implementation arise.

In closing, I want to thank my colleagues for the spirit of collaboration which led to development of this legislation. In particular, I want to thank Senator DURBIN for his leadership on this issue. While we may not have always agreed on every provision, we did forge a bill on which we can agree. His top-notch staffer, now a distinguished professor, Krista Donahue, worked with us every step of the way.

Senator HARKIN is a steadfast supporter of the dietary supplement industry, and his guidance undoubtedly made this bill a better product. We benefitted greatly from the counsel of his legislative director, Pam Smith, and before her, Peter Reinecke, his former chief of staff. Peter was instrumental in drafting DSHEA as well.

Senator ENZI and Senator KENNEDY, both long-time experts in food and drug law, have both been most generous in their time and in moving the process forward. Chairman ENZI's FDA expert, Amy Muhlberg, helped guide us through this process and was key in our success. Senator KENNEDY's staffer, David Dorsey, once a top FDA, lawyer, was instrumental in the drafting and made countless invaluable suggestions.

I will take this opportunity to thank my own staff—Patti DeLoatche, who always stood for common sense and reason during heated arguments, the elusive Bruce Artim, now a top staffer at Eli Lilley, and of course, Patricia Knight, who helped draft DSHEA with me as well.

Finally, we couldn't have done it without Liz King and Stacey Kern-Scheerer in Legislative Counsel, who patiently produced the 21 drafts leading to the bill today.

I must also note the groups that also support the bill—the Consumer's Union, the Center for Science in the Public Interest, the Consumer Healthcare Products Association, the Natural Products Association, the Council for Responsible Nutrition, the American Herbal Products Association, and finally and most importantly, the Utah Natural Products Association.

That these groups, not often united—at least on this subject—can rally around our bill today is a testament to good policy, good politics, and a surviving bipartisan spirit.

It is my hope the Senate will give swift approval to this bipartisan measure and that the House will shortly thereafter do the same.

Mr. DURBIN. Mr. President, today, the Senate adopted a bipartisan bill that provides the Food and Drug Administration with the tools it needs to help monitor the safety of dietary supplements.

Dietary supplements are safely consumed by millions of Americans every day. I myself take a multivitamin every morning. The vast majority of these supplements do not result in harm to the consumer.

Unfortunately, this is not the case for all supplements. Some cause dangerous health problems: increased blood pressure, heart attack, stroke, seizures and liver failure. Ephedra is the most well-known among these.

Under the Dietary Supplement Heath and Education Act, DSHEA, which passed in 1994, supplement manufacturers are not required to prove their products are safe or effective before they are marketed: supplements are assumed safe until proven unsafe.

The bill we passed today will help the FDA identify products that may be causing harm to consumers.

In 2000, the FDA contracted with the Institute of Medicine at the National Academies of Science to develop a scientific framework for the evaluation of dietary supplements under DSHEA.

IOM's proposals flowed from their first and essential recommendation to Congress: Make adverse event reporting mandatory. They asserted that ''adverse event reports have considerable strength as potential warning signals of problems requiring attention, making monitoring by the FDA worthwhile.''

Unfortunately, under current law, reporting is voluntary and it is not working. The Office of the Inspector General at the Department of Health and Human Services, HHS, estimated in 2001 that less than 1 percent of all adverse events associated with dietary supplements are reported to the FDA.

My own experience reinforces the need for a mandatory system of reporting. Metabolife told the FDA in February of 1999 that, ''Metabolife has never been made aware of any adverse health events by consumers of its products. Metabolife has never received a notice from a consumer that any serious adverse health event has occurred because of ingestion of Metabolife 356.''

The Justice Department began investigating the truthfulness of that statement and found that Metabolife was holding 16,500 adverse event reports, including almost 2,000 significant cardiac, neurological and psychiatric reports.

The Dietary Supplement and Nonprescription Drug Consumer Protection Act will prevent this scenario from ever happening again. Manufacturers of over-the-counter drugs and dietary supplements will be required to send these reports to the FDA.

I would like to thank Senators HATCH, HARKIN, ENZI and KENNEDY, who have worked with me for the last 3 years on this important issue.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 3546), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

PROVIDING FOR CERTAIN LANDS TO BE HELD IN TRUST FOR THE UTU UTU GWAITU PAIUTE TRIBE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 622, H.R. 854.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 854) to provide for certain lands to be held in trust for the Utu Utu Gwaitu Paiute Tribe.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 854) was read the third time and passed.

WATER RESOURCES RESEARCH ACT AMENDMENTS OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 641, H.R. 4588.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4588) to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5213) was agreed to, as follows:

AMENDMENT NO. 5213

(Purpose: To modify provisions relating to scope of research, other activities, and cooperation and coordination)

On page 2, strike line 6 and insert the following:

''(B) the exploration of new ideas that—

''(i) address water problems; or

''(ii) expand understanding of water and water-related phenomena;

On page 3, line 24, strike ''and''.

On page 4, strike lines 1 and 2 and insert the following:

''(C) advances in water infrastructure and water quality improvements; and

''(D) methods for identifying, and determining the effectiveness of, treatment technologies and efficiencies.''.